

AN ACT concerning public employee benefits.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Illinois Pension Code is amended by changing  
Section 3-145 as follows:

(40 ILCS 5/3-145) (from Ch. 108 1/2, par. 3-145)

Sec. 3-145. Referendum in municipalities less than 5,000.

(a) This Article shall not be effective in any municipality  
having a population of less than 5,000 unless the proposition  
to adopt the Article is submitted to and approved by the voters  
of the municipality in the manner herein provided.

Whenever the electors of the municipality, equal in number  
to 5% of the number of legal votes cast at the last preceding  
general municipal election, petition the city, village or town  
clerk to submit the proposition whether that municipality shall  
adopt this Article, the officer to whom the petition is  
addressed shall certify the proposition to the proper election  
officials who shall submit the proposition in accordance with  
the general election law at a regular election in the  
municipality provided that notice of the referendum, if held  
before July 1, 1999, has been given in accordance with the  
provisions of Section 12-5 of the Election Code in effect at  
the time of the bond referendum, at least 10 and not more than

(1) An independent auditor certifies that the fund created under this Article has no liabilities and there are no members or participants in the fund and no beneficiaries

entitled to benefits under the fund.

(2) The corporate authorities of the municipality, by ordinance, approve the closing of the fund.

If the conditions of this subsection (b) are met and the closed fund contains assets, those assets shall be transferred to the municipality for its general corporate purposes.

If a municipality that terminates participation under this Article in accordance with this subsection (b) wants to reinstate the fund, then the proposition to re-adopt the Article must be submitted to and approved by the voters of the municipality in the manner provided in subsection (a).

(Source: P.A. 90-812, eff. 1-26-99; 91-57, eff. 6-30-99.)

Section 99. Effective date. This Act takes effect upon becoming law.